

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL INC.; and
HONEYWELL INTELLECTUAL PROPERTIES
INC.;

Plaintiffs,

v.

APPLE COMPUTER, INC., et al.

Defendants.

Civil Action No. 04-1338-***

Civil Action No. 04-1337-***

Civil Action No. 04-1536-***

[CONSOLIDATED]

STIPULATION AND ORDER TO FURTHER AMEND SCHEDULING ORDER NO. 2

IT IS HEREBY STIPULATED BY THE PARTIES, subject to the approval of the Court, that Scheduling Order No. 2 entered June 11, 2007 (D.I. 838 in C.A. No. 04-1338-***; D.I. 277 in C.A. No. 04-1337-***, and D.I. 128 in C.A. No. 04-1536-***), as amended on September 4, 2007 (D.I. 863 in C.A. No. 04-1338-***; D.I. 285 in C.A. No. 04-1337-***, and D.I. 137 in C.A. No. 04-1536-***), as amended on October 26, 2007 (D.I. 898 in C.A. No. 04-1338-***; D.I. 298 in C.A. No. 04-1337-***, and D.I. 148 in C.A. No. 04-1536-***), be further amended as follows:

| Event | Original Date (per D.I. 838, etc.) | Revised Date (per D.I. 898, etc.) | New Date |
|---|---------------------------------------|--------------------------------------|---|
| Fact Discovery cut-off [¶ (1)(c)] | November 30, 2007 | December 20, 2007 | January 31, 2008 |
| Expert depositions (aside from Mr. Hathaway)(each side allowed 10 hours per deposition) [¶ (1)(c)] | | | February 18, 2008 through March 7, 2008 |
| Joint Claim Construction Chart [¶ (6)] | November 30, 2007 | December 17, 2007 | March 21, 2008 |

| Event | Original Date (per D.I. 838, etc.) | Revised Date (per D.I. 898, etc.) | New Date |
|---|---------------------------------------|--------------------------------------|----------------|
| Case dispositive motions and opening briefs [¶ (5)] | January 18, 2008 | February 4, 2008 | April 25, 2008 |
| Opening Claim Construction Briefs [¶ (6)] | January 18, 2008 | February 4, 2008 | April 25, 2008 |
| Case dispositive answering briefs [¶ (5)] | February 15, 2008 | March 5, 2008 | May 26, 2008 |
| Responsive Claim Construction Briefs [¶ (6)] | February 15, 2008 | March 3, 2008 | May 26, 2008 |
| Case dispositive reply briefs [¶ (5)] | February 29, 2008 | March 19, 2008 | June 10, 2008 |

All other provisions of Scheduling Order No. 2 shall remain unchanged.

Dated this 6th day of December 2007.

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SO ORDERED this _____ day of December, 2007

UNITED STATES MAGISTRATE JUDGE

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